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SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

Memorandum

To: Planning Commission
From: Murry Wilson – Project Planner
Date: 12/29/2004
Re: Lilly Emergency Permit

The Lilly Emergency Permit was issued for Mr. Warren Lilly on November 16, 2004. The emergency permit was issued to allow drilling of a replacement water well on the subject property (APN 074-225-038). The location of the property makes this project appealable to the Coastal Commission consequently requiring the issuance of a Minor Use Permit prior to drilling activities.

This Minor Use Permit process takes a minimum of two months. The applicant has a greenhouse operation on-site which requires a constant supply of water to maintain the facility. The existing greenhouse operation could not continue without a constant water source hence the need to issue the emergency permit. Planning staff consulted with the Coastal Commission and they agreed that this project meets the standards for issuance of an emergency permit.

Attached are the conditions associated with the issued Lilly Emergency Permit and a project description for the staff report that will be presented to the Planning Department Hearing Officer on January 21, 2005.

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DATE: November 16, 2004

**Lilly Emergency Permit for an approximately 350 foot deep water well
(APN 074-225-038)**

1. This permit authorizes:
 - A. The construction/drilling of a new approximately 350 foot deep water well.
 - B. Connection of the new water well to existing well equipment.
 - C. This project shall be consistent with the approved site plan.
2. **Prior to ground breaking activities**, the applicant shall comply with all of the requirements of the County Health Department.
3. **Prior to ground breaking activities**, an erosion control plan shall be prepared in accordance with Section 23.05.036 of the County of San Luis Obispo Coastal Zone Land Use Ordinance. The erosion control plan shall outline methods that shall be implemented to control erosion from well drilling activities on the site, including but not limited to:
 - A. Placing sandbags (or other erosion control devices) where appropriate along the perimeter of the drilling area prior to initial site disturbance.
 - B. Minimizing the length of time that soils lie exposed.
 - C. Re-vegetating disturbed areas in a manner approved by the County Department of Planning and Building.
 - D. Sediment and erosion control measures shall be implemented during project construction in accordance with Section 23.05.036 (d) of the County Coastal Zone Land Use Ordinance. These measures include slope surface stabilization and erosion and sedimentation control devices.
4. **Prior to ground breaking activities**, the applicant shall verify with the Department of Planning and Building that condition #2 and #3 above have been met.
5. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - A. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

6. **Within 30 days of issuance of this emergency permit**, the applicant shall apply for a Minor Use Permit/Coastal Development Permit pursuant to section 23.03.045 b.6. of the Coastal Zone Land Use Ordinance (CZLUO). If the applicant fails to apply for the Minor Use Permit/Coastal Development Permit within 30 days of issuance of this emergency permit enforcement action pursuant to Chapter 23.10 of the CZLUO will be taken.
7. **Prior to acceptance for processing of a subsequent Land Use Permit**, the applicant shall submit a Condition Compliance Report to the Department of Planning and Building for review and approval which clearly shows that the conditions of approval for the subject emergency permit have been satisfied. This report shall include, but not be limited to the following:
 - A. A follow up report on how the conditions of approval related to construction activities have been met. This shall include photo documentation of the conditions of approval being met (i.e., erosion control methods, and other conditions of approval for prior to and during construction activities).
8. Construction activities for the proposed project shall be limited to the hours between 7 am and 9 pm Monday to Friday and 8 am to 5 pm Saturday to Sunday in accordance with Section 23.06.042 of the Coastal Zone Land Use Ordinance.

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